



**TRANSPARENCY
INTERNATIONAL-PAKISTAN**

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21st December, 2015

TL15/2112/2A

Director General,
Provincial Disaster Management Authority,
Quetta.

Sub: Violation of Balochistan Public Procurement Rules 2014, Non- Issuance of Tender Documents for Tender Package No.2. Blanket. 3. Mosquito Net. 5. Plastic mate. 7. Life Saving Jacket. 8. Plastic sheet. 9. Sleeping Bag.10. Bucket.

Dear Sir,

Transparency International Pakistan has received a complaint, from M/s T.K Medical Instruments Co., dated 20th December, 2015 against Provincial Disaster Management Authority (PDMA) Quetta regarding 'Non- Issuance of Tender Documents for Tender Package No.2. Blanket. 3. Mosquito Net. 5. Plastic mate. 7. Life Saving Jacket. 8. Plastic sheet. 9. Sleeping Bag.10. Bucket. (Annexure A).

The complainant has alleged that his company representatives have been refused to be issued bidding documents by the account officer, Director Admin and Relief Mr. Attaulla Mengal of PDMA, Quetta, citing the reason that the company name is T.K Medical Instruments Co., and the items are of disaster related. However complainant has alleged that his company is a general order supplier and deals all over Pakistan. Refusing issuing tender documents is a violation of BPPRA Rules 2014, Rule No. 26 (1), stated as under;

26. Provision of Bidding Documents. — (1) The Procuring Agency shall provide the bidding documents to all interested bidders in accordance with the procedures and requirements specified in the Notice Inviting Tender.

National Accountability Bureau (NAB), has also directed vide its letter No 5-2 (75) Pre/ A & P/ NABHQ/ 2013 dated 8th January (Copy encl), all procuring agencies should make available the bidding or prequalification documents and other related communication in downloaded format, for any interested bidder or party, at their website to use these documents for submitting bid(s) with admissible tender fee.

Director General, PDMA is requested to issue bidding documents to all the eligible interested bidders who meet the pre-qualification criteria, in order to have a fair and open competition and with a request to re-invite the tender under the prescribed procedures or issue a corrigendum and extend date accordingly.

Transparency International Pakistan is striving for across the board application of Rule of Law, which is the only way to stop corruption.

With Regards,


Sohail Muzaffar
Chairman

Copies forwarded for the information with request to take action under their mandate to:

1. Chief Minister, Government of Balochistan, Quetta.
2. Director General, NAB, Quetta.
3. Principal Secretary to Chief Minister of Balochistan, Quetta.
4. Registrar, Balochistan High Court, Quetta.
5. Managing Director, BPPRA, Quetta.

Annexure - A.

From: "Manwer Ial" <sunmedind@gmail.com>
Date: 20 December 2015 at 3:29:50 PM GMT+5
To: <ti.pakistan@gmail.com>
Subject: COMPALIN ISSUANCE OF TENERDS.

To

Mr. Syed Adil Gilan

Transparency International ,
Pakistan.

Reference: Tender Package No.2.Blanket. 3. Mosquito Net. 5. Plastic mate. 7. Life Saving Jacket. 8. Plastic sheet. 9. Sleeping Bag.10. Bucket.

Subject: Non- Issuance of Tender

We would like Draw your kind attention to above reference mentioned tenders, it is to inform you that our company representatives has been refused to issue bidding documents by Account Officer, therefore met with Director Admin and Relief Mr: Attaulla Mengal. PDMA, Quetta, Who also refuses to issue the bidding documents citing the reasons that your company name is T.K Medical Instruments Co., and the items are of disaster related. So we cannot issue the tender documents, However our company is a General Order Supplier and deals all over Pakistan and we wanted to ask the department on what rules our representative has been not being issued with tender documents? Is there any Rule which stop any company from participating in tender just merely on basis of name?

It is strongly felt and observed that, Department is being biased and favoring some bidders of their choice. This is clearly violations of rules and regulation.

It is requested to you kindly issue the bidding documents in favor of our company and take necessary remedy to extended the tender opening for 15 days as to allot equal and justified time to have healthy competition in tender for the betterment of People and Government.

With Best Regards

**T.K Medical Instruments Co.,
Plot No C-2, Punjabi Colony,
F.C.Area, Liqautabad No-4. Karachi.
Tel: 0092-21-36828463
Cell: 0300-8219859.**



GOVERNMENT OF PAKISTAN
NATIONAL ACCOUNTABILITY BUREAU
ATTA TURK AVENUE, G-5/2
ISLAMABAD

AWARENESS & PREVENTION DIVISION

Mandated to educate, advise, assist and instruct in Prevention of Corruption and Corrupt Practices
(Section 33B & C of NAO 1999)

5-2(75)Pre/A&P/NABHQ/2013

January 08, 2014 /40

All Ministries / Divisions /
Departments / Regulatory Bodies
and Corporation etc. (list attached)

Subject: MEASURE FOR PREVENTION OF CORRUPTION IN PUBLIC
PROCUREMENT PROCESS FOR TRANSPARENCY AND
MERCITOCRACY


To plug the possible corruption holes during procurement process, National Accountability Bureau (NAB) under its Prevention Regime, as enshrined in section 33B and 33C of National Accountability Ordinance (NAO) 1999 read with Public Procurement Rules 2004, advises to abide by the following instructions, in order to ensure transparency in the public procurement process:

- a. Registration or enlistment of contractors on periodic basis a procurement agency is not needed under the Public Procurement Rules 2004 nor any charging of fee on this account is admissible. This practice should be stopped forthwith as it supports the Corrupt Practices of collusive limited competition to favor the favorites.
- b. A procurement agency may adopt the process of pre-qualification of contractors to establish their ability to perform for a particular work; therefore enlistment of the contractors, as condition in pre-qualification is not required and cannot be imposed as condition for pre-qualification under Public Procurement Rules 2004.
- c. It is further required to completely specify the conditions and circumstances explained in rules 15 and 16 "pre-qualification of contractors and suppliers" and "pre-qualification process" of Public Procurement Rules 2004.

- d. All procuring agencies should make available the bidding or pre-qualification documents and other related communication in downloadable format, for any interested bidder or party, at their websites to use these documents for submitting bid(s) with admissible tender fee, if any, paid in bank as prescribed by procuring agency. This will break cartelization and collusive biddings. (Instructions under Prevention Regime of NAB)
- e. Mis-procurement declared and falling within Rule 50 of PP Rules 2004 at any stage shall be liable for cognizance by NAB under relevant Section of NAO 1999.

2. The above information be communicated to all subordinate offices responsible for procurement processes.

3. It is to inform that these instructions are issued after consultation with Public Procurement Regulatory Authority and with the approval of DG A&P NAB HQ / President Prevention Committee on Procurement, Projects and Auctions, constituted by Chairman NAB under Section 330 of NAO 1999, please.


Sajid Ali
Deputy Director (Coord)
(A&P Division) NAB HQ
Ph: 051-9240837
Fax: 051-9245908

Copy for info to:-

- a. PS to Chairman NAB
- b. MD, Public Procurement Regulatory Authority (PPRA) Islamabad
- c. Addl. Directors Staff, All Regional NABs
- d. Director A&P, All Regional NABs
- e. MD, Punjab Public Procurement Regulatory Authority, Lahore